

FIRST REGULAR SESSION

SENATE BILL NO. 60

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0147S.01I

AN ACT

To amend chapter 441, RSMo, by adding thereto one new section relating to victims of certain crimes.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 441, RSMo, is amended by adding thereto one new
2 section, to be known as section 441.920, to read as follows:

**441.920. 1. For purposes of this section, the following terms
2 mean:**

3 **(1) "Domestic violence", as such term is defined in section
4 455.010;**

5 **(2) "Sexual assault", as such term is defined in section 455.010;**

6 **(3) "Stalking", as such term is defined in section 455.010.**

7 **2. No applicant, tenant, or lessee shall be denied tenancy, evicted
8 from the premises, or found to be in violation of a lease agreement on
9 the basis of or as a direct result of the fact that the applicant, tenant,
10 or lessee is, has been, or is in imminent danger of becoming a victim of
11 domestic violence, sexual assault, or stalking if the applicant, tenant,
12 or lessee otherwise qualifies for tenancy or occupancy in the premises.**

13 **3. In any action brought by a landlord against a tenant under
14 this chapter, chapter 534, or chapter 535, a tenant shall have an
15 affirmative defense and not be liable for rent for the period after which
16 the tenant vacates the premises owned by the landlord if, by a
17 preponderance of the evidence, the court finds that the tenant was a
18 victim or was in imminent danger of becoming a victim of domestic
19 violence, sexual assault, or stalking and the tenant notified the
20 landlord of such according to the provisions of this section.**

21 **4. An applicant, tenant, or lessee shall qualify for the protections**

22 under this section if he or she provides a statement of such domestic
23 violence, sexual assault, or stalking to his or her landlord or the
24 property owner. If the landlord or property owner requests, the
25 applicant, tenant, or lessee shall provide documentation of the domestic
26 violence, sexual assault, or stalking, which may be in any of the
27 following forms:

28 (1) A document signed by an employee, agent, or volunteer of a
29 victim service provider, an attorney, or health care professional or
30 mental health professional from whom the victim has sought assistance
31 relating to domestic violence, sexual assault, stalking, or the effects of
32 abuse stating that, under penalty of perjury, the individual believes in
33 the occurrence of the incident of domestic violence, sexual assault, or
34 stalking that is the ground for protection, and that the incident meets
35 the applicable definition of domestic violence, sexual assault, or
36 stalking. Such document shall be signed by the victim; or

37 (2) A record of a federal, state, or local law enforcement agency,
38 including a police report, a court, or administrative agency pertaining
39 to the alleged incident of domestic violence, sexual assault, or stalking.

40 5. The submission of false information by an applicant, tenant,
41 or lessee under this section may be a basis for a denial of tenancy,
42 eviction, or a violation of a lease agreement.

43 6. Any landlord or property owner may impose a reasonable
44 termination fee on a tenant or lessee who desires to terminate a lease
45 before the expiration date of such lease under the provisions of this
46 section. Such termination fee shall be outlined in the lease agreement.

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